

APPENDIX XIII

Serial No.: 09/955,064

Docket No.: 49933US031

Notice of Non-compliance with the Requirements of 37 C.F.R. § 1.192(e) mailed
from the U.S. Patent and Trademark Office on 10 September 2002.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/520,032	03/06/2000	Timothy L. Roopman	499331USA6M	9385

7540 09/10/2002

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EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 09/10/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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26

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Commissioner of Patents and Trademarks

NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR 1.192(c)

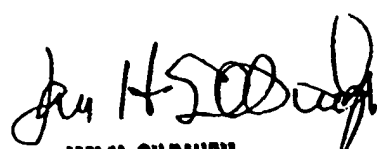
The brief does not contain a statement of the status of an amendment filed subsequent to the final rejection as required by 37 CFR 1.192(c)(4). The brief contains a statement of the status of all the amendments before the final rejection, but does NOT contain a statement of any amendments filed subsequent to the final rejection. If no amendments were filed subsequent to the final rejection, appellants should make a statement such as "No amendments were filed after the final rejection."

The brief does not contain a concise explanation of the invention defined in the claims involved in the appeal, which refers to the specification by page and line number, and to the drawing, if any, by reference characters as required by 37 CFR 1.192(c)(5). While reference to page and line number of the specification may require somewhat more detail than simply summarizing the invention, it is considered important to enable the Board to more quickly determine where the claimed subject matter is described in the application (see MPEP 1206).

The brief does not contain a copy of the claims involved in the appeal in the Appendix. The copy of the claims in the Appendix does not appear to be a correct copy of the claims involved in the appeal. It is noted that the amendment filed on 27 December 2001 amended the claims (namely, the numerous deletions of ", wherein" throughout the claims) without marking the changes in the marked copy. Thus, it is not clear whether or not such changes were intended to be in the appeal. As understood by the examiner, such deletions appear to be inadvertent. The examiner suggests that an after final amendment be filed which reinserts the numerous deletions of ", wherein" to make clear the precise wording of the claims on appeal.

Appellant is required to comply with provisions of 37 CFR 1.192(c).

To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 1.192(c) within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.


JAN H. SILBAUGH
SUPERVISORY PATENT EXAMINER
ART UNIT 1722

09/09/02